THE HON'BLE SRI JUSTICE A.GOPAL REDDY

-

WRIT PETITION No.12932 of 1995

DATED: 03-03-2006

Between:

G.Durga Rao and another . . .Petitioners

And

District Collector, E.G. District, and others . . .Respondents

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

-

WRIT PETITION No.12932 of 1995

O R D E R:

The petitioners, who are owners of the land to an extent of Ac.1-60 cents in Survey Nos.391/2A and 393/1 of Gadarada Village, Korukonda Mandal, East Godavari District, filed this writ petition for a *mandamus* declaring that the petitioners are entitled for exemption of their land from Land Acquisition Proceedings and also for restoration of the same under the Board's Standing Orders, under the proceedings of the District Revenue Officer and as per the recommendations made by the revenue officials.

It is not in dispute that after acquisition of the land of the petitioners, an award was passed in Award No.26/1987, dated 31-11-1987. After passing the said award, the petitioners filed a petition to reconvey the said land. The Mandal Revenue Officer, Korukonda, to whom the matter was referred to, has recommended to the District Collector, East Godavari District, 1st respondent, to reconvey the land to the land owners, while stating that on passing the award, the possession was taken on 29-01-1988, but the same is under enjoyment and possession of the land owners. The Mandal Revenue Officer stating that there is every need for providing house sites to the poor persons, requested to assign the lands to the eligible persons. In view the interim orders passed by this Court, the same cannot be assigned to the eligible persons.

It is well settled that once an award is passed, the landholders will not acquire any right for reconveyance and the land is vested with the Government, which can utilize the same for any other purpose. Further, in view of the amendment to the Board's Standing Orders prohibiting reconveyance of the land, the petitioners are not entitled to the same and therefore, no *mandamus* can be issued.

The writ petition is accordingly dismissed. There shall be no order as to costs.

_____

(A.GOPAL REDDY, J)

3rd MARCH, 2006.

kvni